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Dated: May 19, 2004 Signature: *Lisa de Cordova*

(Lisa deCordova)

Docket No.: 65744/P009CP1/10313153  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Design Application of:  
Jens U. Quistgaard et al.

Application No.: 10/062,179

Confirmation No.: 1680

Filed: February 1, 2002

Art Unit: 3737

For: MEDICAL DIAGNOSTIC ULTRASOUND  
INSTRUMENT WITH ECG MODULE,  
AUTHORIZATION MECHANISM AND  
METHODS OF USE

Examiner: F. J. Jaworski

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 30, 2004, Applicant hereby provisionally elects the claims of Group II (claims 12-32 and 37-38) for continued examination, with traverse.

The Restriction Requirement identifies six claim groupings asserted to be directed to distinct inventions. Specifically, the Restriction Requirement identifies claims 1-11 as Group I being drawn to a handheld combined B-mode and Doppler scanning system, claims 12-32 and 37-38 as Group II being drawn to a diagnostic instrument with ECG module, claims 33-34 as Group III being drawn to an ECG power supply, claims 35-36 as Group IV being drawn to a power supply isolation control interface with chopping circuitry, claims 39-40 as Group V being drawn to a spectral Doppler analysis method, and claims 41-75 as Group VI being drawn to keycode and encryption system control and software. The Restriction Requirement states that the inventions of the various claim groupings are related as subcombinations disclosed as usable together in a single combination and asserts that the subcombinations are

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distinct from each other because they are separately usable, see the Restriction Requirement at page 2.

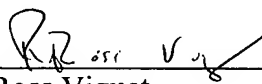
Although the Restriction Requirement provides reasoning why the inventions of Groups III and IV may be separately usable, there has been no showing as to the separate use of the inventions of Groups II and III. Accordingly, assuming *agueno* that the showing of separate use set forth in the Restriction Requirement is accurate, with respect to the invention of Group III the record provides only for restriction as between the inventions of Group III and Group IV. Applicant respectfully asserts that no showing with respect to separate use of the inventions of Group II and Group III has been made and, therefore, that the claims of these groupings may be properly maintained in a single patent application.

Moreover, Applicant notes that claim 24 of Group II recites "an electrocardiograph (ECG) module comprising . . ." and that claim 33 of Group III recites a power supply circuit for providing electrical power to the first signal processing circuitry of an electrocardiograph (ECG) module. It is respectfully asserted that the invention set forth in claim 33 is expressly usable with an electrocardiograph (ECG) module, such as that recited in claim 24. Accordingly, Applicant respectfully asserts that restriction between the inventions of Group II and Group III is improper, see M.P.E.P. § 806.05(d).

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 65744/P009CP1/10313153 from which the undersigned is authorized to draw.

Dated: May 19, 2004

Respectfully submitted,

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